

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

_____)	
DARICK DEMORRIS WALKER,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 05-0934
)	
GENE M. JOHNSON, <u>et al.</u> ,)	
)	
Defendants.)	
_____)	

ORDER

This matter comes before the Court on Defendants' Motion for Clarification of this Court's Order from December 20, 2005. Defendants argue that the Court did not intend to permit Plaintiff to challenge the selection, qualification, and training of personnel administering the lethal injection in that Order. The disputed language from that Order is "[t]he Court finds that Plaintiff has stated a [42 U.S.C.] § 1983 claim regarding the types of drugs used in lethal injection and the way in which those drugs are administered." (Order, 2, December 20, 2005).

The Order from December 20, 2005, clearly permits the Plaintiff to challenge the types of drugs used and the way in which those drugs are administered. Selection, qualification, and training of personnel administering the injection goes to the

way the drugs are administered. Thus, the Court declines to clarify its Order from December 20, 2005 in the manner Defendants so desire. It is hereby

ORDERED that Defendants' Motion for Clarification is DENIED.

/s/

CLAUDE M. HILTON
UNITED STATES DISTRICT JUDGE

Alexandria, Virginia
February 8, 2006